

Michigan District Judges Association

House Bill 5895 – Page 22, line 23 to page 23, line 8

OPTION A

(17) AN INDIGENT CRIMINAL DEFENSE SYSTEM SHALL ASSESS AND COLLECT CONTRIBUTION OR REIMBURSEMENT FROM INDIVIDUALS DETERMINED TO BE PARTIALLY INDIGENT PURSUANT TO THIS ACT AND APPLICABLE COURT RULES. A COURT MAY ASSIST ITS LOCAL INDIGENT CRIMINAL DEFENSE SYSTEM IN SUCH ASSESSMENT AND COLLECTION AT THE DIRECTION OF THE SUPREME COURT. ALL FUNDS RECEIVED PURSUANT TO THIS SUBSECTION SHALL BE KEPT IN THE SEGREGATED FUND ESTABLISHED FOR GRANTS FROM THE MIDC AND REPORTED TO THE MIDC BY OCTOBER 31 OF EACH YEAR. THE INDIGENT CRIMINAL DEFENSE SYSTEM'S GRANT IN THE NEXT FISCAL YEAR SHALL BE REDUCED BY THE AMOUNT EQUAL TO THE FUNDS RECEIVED PURSUANT TO THIS SUBSECTION. AN INDIGENT CRIMINAL DEFENSE SYSTEM COLLECTING CONTRIBUTION OR REIMBURSEMENT FROM INDIVIDUALS DETERMINED TO BE PARTIALLY INDIGENT PURSUANT TO THIS ACT SHALL COORDINATE WITH ALL COURTS INCLUDED IN ITS COMPLIANCE PLAN TO ASSURE COMPLIANCE WITH THE PRIORITIES EXPRESSED IN MCL 775.22.

OPTION B

(17) [AN INDIGENT CRIMINAL DEFENSE SYSTEM] MAY ASSESS AND SHALL COLLECT CONTRIBUTION OR

REIMBURSEMENT FROM INDIVIDUALS DETERMINED TO BE PARTIALLY INDIGENT UNDER APPLICABLE COURT RULES AND STATUTES. _____ PERCENT OF THE FUNDS RECEIVED UNDER THIS SUBSECTION MUST BE REMITTED BY AN INDIGENT CRIMINAL DEFENSE SYSTEM TO THE DEPARTMENT IN A MANNER PRESCRIBED BY THE DEPARTMENT AND REPORTED TO THE MIDC BY OCTOBER 31 OF EACH YEAR. THE FUNDS RECEIVED BY THE DEPARTMENT UNDER THIS SUBSECTION MUST BE EXPENDED BY THE MIDC IN SUPPORT OF INDIGENT CRIMINAL DEFENSE SYSTEMS IN THIS STATE. THE REMAINING ____% OF THE FUNDS COLLECTED UNDER THIS SUBSECTION MAY BE RETAINED BY THE INDIGENT CRIMINAL DEFENSE SYSTEM FOR PURPOSES OF FUNDING INDIGENT DEFENSE IN THE SUBSEQUENT FISCAL YEAR AND MUST NOT ALTER THE CALCULATION OF THE LOCAL SHARE MADE

PURSUANT TO SECTION 3(I). THE MIDC SHALL PROMULGATE STANDARDS FOR EXPENDITURES FROM FUNDS ASSESSED AND COLLECTED UNDER THIS SUBSECTION. SUCH EXPENDITURES ARE SUBJECT TO APPROVAL AND OR DISAPPROVAL BY THE MIDC THROUGH THE PROCESS ESTABLISHED IN SECTION 13 OF THIS ACT. AN INDIGENT CRIMINAL DEFENSE SYSTEM COLLECTING CONTRIBUTION OR REIMBURSEMENT FROM INDIVIDUALS DETERMINED TO BE PARTIALLY INDIGENT PURSUANT TO THIS ACT SHALL COORDINATE WITH ALL COURTS INCLUDED IN ITS COMPLIANCE PLAN TO ASSURE COMPLIANCE WITH THE PRIORITIES EXPRESSED IN MCL 775.22.